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U.S. Courthouse, Eastern District of New York in Brooklyn, New York. Photo: Ryland West/ALM

Decision of the Day: NYPD Officer's Sexual Assault of Informant Occurred Outside Scope of Employment

This ruling was selected and summarized by the New York Law Journal's decision editors.

January 13, 2025 at 11:22 PM

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By ALM Staff

Plaintiff Takisha Reid alleged in a civil rights suit that New York City Police Department officer Gregory Howard sexually assaulted her while she was under Howard's supervision as a confidential informant.

U.S. Magistrate Judge Peggy Kuo of the Eastern District of New York granted the City's motion for summary judgment but not Howard's. New York City held no liability under the doctrine of respondeat superior as to complaints about Howard's conduct outside of the scope of his employment with the NYPD, the judge found.

However, Howard was previously found guilty of not providing written reports of his interactions with the confidential informant and of maintaining a personal relationship with her after her status had been deactivated.

Here, the court did not find Reid's claims to be so unsubstantiated and inconsistent that no reasonable juror could credit her allegations. Thus a genuine factual dispute exists as to Reid's claims. Nor was Howard entitled to qualified immunity. Reid showed that Howard violated her clearly established constitutional right. As alleged by Reid, Howard sexually assaulted her despite her having made it clear to Howard that she did not want to have sex with him.

The case is captioned *Reid v. City of New York*, 20-CV-3926

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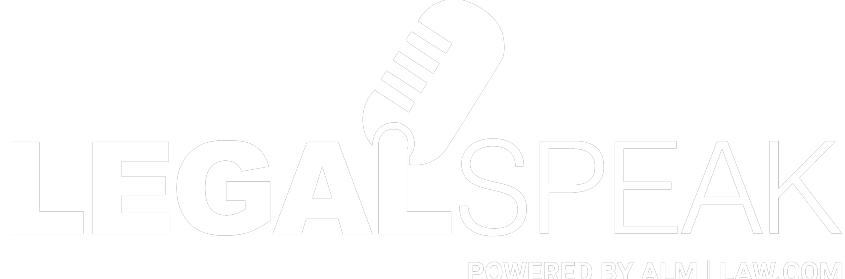
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